

AMENDED IN ASSEMBLY APRIL 13, 2004

AMENDED IN ASSEMBLY MARCH 18, 2004

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

ASSEMBLY BILL

No. 1865

Introduced by Assembly Members Spitzer and Bermudez
(Coauthors: Assembly Members Benoit, Garcia, La Malfa,
Maddox, and Runner)
(Coauthor: Senator Denham)

February 2, 2004

An act to add Section 3069 to the Penal Code, relating to parole.

LEGISLATIVE COUNSEL'S DIGEST

AB 1865, as amended, Spitzer. Parole: Employment of parolees.

Existing law provides for the parole of state prison inmates, who may be returned to custody or face other sanctions for violations of parole conditions. Existing law makes available to parolees certain treatment, training, and employment programs.

This bill would *require the Department of Corrections to ensure that employers are notified of the parole status, felony conviction history, and employment restrictions, if any, for any parolee job applicant referred to that employer by a contractor providing job placement services on behalf of the department. This bill would also require, as a condition of release on parole or reinstatement on parole, that an inmate or a parolee truthfully seeking employment outside of the employment services program of the department disclose to each employer or prospective employer within 24 hours of seeking or acquiring employment, whichever occurs first, specified information concerning*

his or her criminal history and parole supervision. ~~The failure to do so would be a violation of the conditions of parole, with specified consequences, upon the request of the employer or prospective employer.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 ~~SECTION 1. Section 3069 is added to the Penal Code, to read:~~
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3 *read:*

4 3069. (a) *The Department of Corrections shall ensure that*
5 *employers are notified of the parole status, felony conviction*
6 *history, and employment restrictions, if any, for any parolee job*
7 *applicant referred to that employer by a contractor providing job*
8 *placement services on behalf of the Department of Corrections.*

9 (b) *A parolee seeking employment outside of the employment*
10 *services programs offered by the Department of Corrections shall*
11 *inform an employer or prospective employer of his or her parole*
12 *status, felony conviction history, and the name and telephone*
13 *number of his or her parole agent, upon the request of the employer*
14 *or prospective employer.*

15 ~~3069. (a) Notwithstanding any other law, the Board of Prison~~
16 ~~Terms shall require, as a condition of release on parole or~~
17 ~~reinstatement on parole, that an inmate or parolee truthfully~~
18 ~~disclose to each employer or prospective employer within 24 hours~~
19 ~~of seeking or acquiring employment, whichever occurs first, all of~~
20 ~~the following:~~

21 (1) ~~That the inmate or parolee is a convicted felon.~~

22 (2) ~~All offenses for which the inmate or parolee was convicted~~
23 ~~or served a term of imprisonment in state prison.~~

24 (3) ~~The name and telephone number of the inmate or parolee's~~
25 ~~parole agent.~~

26 (b) ~~The Board of Prison Terms shall provide that any failure to~~
27 ~~comply with this requirement shall constitute a violation of the~~
28 ~~conditions of parole that may result in suspension or revocation of~~
29 ~~parole, or an intermediate sanction in lieu of return to prison.~~

1 ~~(c) The Board of Prison Terms may adopt rules and regulations~~
2 ~~consistent with these provisions.~~

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